

1 HON. ROBERT J. BRYAN
 2
 3
 4

5 UNITED STATES DISTRICT COURT
 6 WESTERN DISTRICT OF WASHINGTON
 7 AT TACOMA

8	UNITED STATES OF AMERICA,	}	No. CR23-5034-RJB
9	Plaintiff,		UNOPPOSED DEFENSE MOTION TO
10	v.		CONTINUE TRIAL DATE AND
11	SAKIRU O. AMBALI,		PRETRIAL MOTIONS DUE DATE
12	Defendant.		

13 Sakiru Ambali requests a continuance of the trial date to June 3, 2024, with a
 14 pretrial motions deadline consistent with the new trial date. The request for continuance
 15 is unopposed by the Government, represented by Assistant United States Attorney
 16 Cindy Chang.

17 Mr. Ambali is charged by a seventeen count Indictment, the summary of the
 18 allegations are detailed in the indictment filed on January 25, 2023. Dkt. 1. On August
 19 17, 2023 was arrested in Seattle, Washington. He made his initial appearance and was
 20 arraigned on August 18, 2023, at which time he entered a plea of not guilty to the
 21 charges in the indictment. Dkt. 13. Trial is presently set for October 24, 2023.

22 On or about September 8, 2023, the government forwarded the initial discovery
 23 to the defense. This discovery consists of over 108,000 pages of materials, which are
 24 still in the process of being downloaded and coded. Accordingly, the defense has not
 25 yet been able to review this material, let alone review it with Mr. Ambali.

1 In light of the above, the defense has not been able to conduct the needed
 2 investigation of this case, or explore potential legal or factual issues for purposes of
 3 pretrial motions. Defense counsel therefore requires additional time beyond the current
 4 trial date of October 24, 2023 to effectively defend Mr. Ambali.

5 For these reasons, the parties request the Court find that:

6 (a) taking into account the exercise of due diligence, a failure to grant a
 7 continuance would deny counsel for the defendant the reasonable time necessary for
 8 effective preparation, due to counsel's need for more time to review the evidence,
 9 consider possible defenses, and gather evidence material to the defense, as set forth in
 10 18 U.S.C. § 3161(h)(7)(B)(iv);

11 (b) a failure to grant a continuance would likely result in a miscarriage of justice,
 12 as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

13 (c) the additional time requested is a reasonable period of delay, as the defendant
 14 has requested more time to prepare for trial, to investigate the matter, to gather evidence
 15 material to the defense, and to consider possible defenses;

16 (d) the case is sufficiently complex that it is unreasonable to expect adequate
 17 preparation for pretrial proceedings or the trial itself within the current trial schedule, as
 18 set forth in 18 U.S.C. § 3161(h)(7)(B)(ii);

19 (e) the ends of justice will best be served by a continuance, and the ends of
 20 justice outweigh the best interests of the public and the defendant in any speedier trial,
 21 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

22 (f) the additional time requested between the current trial date of October 24,
 23 2023, and the new trial date is necessary to provide counsel for the defendant
 24 reasonable time to prepare for trial considering all of the facts set forth above.

25 Mr. Ambali has executed a speedy trial waiver through August 31, 2024, which
 26 will be filed with this motion.

1 Defense counsel has conferred with Assistant United States Attorney Cindy
2 Chang who has no objection to a continuance of the trial date and pretrial motions due
3 date.

4 The parties further ask the Court to exclude the time period from the date of this
5 motion to the new trial date for purposes of computing the time limitations imposed by
6 the Speedy Trial Act.

7 DATED this 12th day of September, 2023.

8 Respectfully submitted,

9
10 s/ John R. Carpenter
11 Assistant Federal Public Defender
12 Attorney for Sakiru Ambali
13
14
15
16
17
18
19
20
21
22
23
24
25
26